



CENTRAL INTELLIGENCE AGENCY

Office of Legislative Counsel
Washington, D. C. 20505

Telephone:

28 APR 1975

TO: Mr. John Marsh
The White House
Washington, D.C. 20500

Jack:

Per the Director's conversation with you, attached is our suggested draft on the "second deputy" legislation, including an amendment to Executive Order 11905. We have tried to do this in the simplest and most direct way. I understand that you and the Director will discuss it with Senator Stennis.

I have also discussed this matter with Lou Nedzi who feels essentially the same way Senator Stennis does; that is, this is not the time to take an amendment to the National Security Act to the floor.

George D. Cary
Legislative Counsel

FORM 1533 OBSOLETE
6-68 PREVIOUS EDITIONS

(40)

STAT

STAT

A BILL

To amend the National Security Act of 1947, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 102(a) of the National Security Act of 1947 (50 U.S.C.A. 403(a)) is amended to read as follows:

"(a) There is established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence who shall be the head thereof. There shall be two Deputy Directors of Central Intelligence: a Deputy Director of Central Intelligence for the Central Intelligence Agency (Deputy Director, Agency) and a Deputy Director of Central Intelligence for the Intelligence Community (Deputy Director, Community). The Director may, to the extent he deems appropriate and without being relieved of his responsibility, delegate to each of the Deputy Directors any of those authorities vested in him by virtue of his position as Director of Central Intelligence and as head of the Central Intelligence Agency. The Director may perform any of his functions or duties, or exercise any of his powers through, or with the aid of, such persons in, or organizations of, the Central Intelligence Agency as he may designate. The Director and the Deputy Directors shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals in civilian life or from among the commissioned officers of the armed services whether in active or retired status: Provided, however, that at no time shall the positions of Director and Deputy Director, Agency, be occupied simultaneously by a commissioned officer of the armed services, whether in an active or retired status."

SECTION 2. (a) Section 102(b)(3) of the National Security Act of 1947 (50 U.S.C.A. 403(b)(3)) is amended by striking the words "of Central Intelligence" wherever they appear in that subsection.

(b) Section 3(b) of the Central Intelligence Agency Act of 1949 (50 U.S.C.A. 403c(b)) is amended to read as follows:

"(b) In the exercise of the authorities granted in subsection (a) of this section, the term "Agency head" shall mean the Director of Central Intelligence, or the Deputy Director of Central Intelligence for the Central Intelligence Agency."

(c) Section 5314(36) of title 5, United States Code, is amended by striking the word "Director" and inserting in lieu thereof the word "Directors."

AMENDMENT TO EXECUTIVE ORDER 11905

1. Section 3(b)(3) would be amended by changing the title "Deputy to the Director of Central Intelligence for the Intelligence Community" to "Deputy Director of Central Intelligence for the Intelligence Community."
2. Section 3(d)(2) would be amended to read as follows:

"To assist the Director of Central Intelligence in the supervision and direction of the Intelligence Community, the Director of Central Intelligence shall, to the extent consistent with his statutory responsibilities, delegate to the Deputy Director of Central Intelligence for the Intelligence Community such responsibilities relating to the Intelligence Community as he may deem appropriate."
3. Section 3(d)(3) would be amended by changing the title of "Deputy Director of Central Intelligence" to "Deputy Director of Central Intelligence for the Central Intelligence Agency."
4. Section 3(d) would be further amended by adding a subsection "(5)" which would provide:

"The Director of Central Intelligence shall, through internal directive, make provision for the exercise of his powers and responsibilities in his absence or disability."